



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, March 22, 2016 at 9:00 A.M.

The Clay County Board of Supervisors met March 22, 2016, as per public notice given in the Clay County News on March 16, 2016. A copy of the proof of publication is on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting. Chairman Nuss presided with roll call showing the following present: Fintel, Samuelson, Anderson, Schmidt, Johnson, Shaw and Nuss. Minutes of the meeting held March 15, 2016 were mailed to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Todd Nuss stated that the open meeting law poster is posted on the west wall in the back of the room.

There was no Public Input.

Motion by Fintel and seconded by Johnson to approve the minutes of the meeting held March 15, 2016 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Fintel and Nuss. Motion carried.

Thomas Roemmich II, Highway Superintendent reported that they were finishing up on driveways and will be working on culverts. The crack sealing is done. Tom recommended that a schedule be set up to start armor coating the roads beginning next spring; doing 15 to 20 miles a year.

Motion by Fintel and seconded by Anderson to start the engineering study for installation of stop signs at the north and south sides of the intersection of Road 318 and Road W. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Fintel, Samuelson and Nuss. Motion carried.

AT 9:15 A.M. the bids for the motor patrol building were opened. Tom Roemmich II, highway supt. and Bill Walton representing Walton Contracting were also present. Bids were received from:

Astro Buildings – 40'x60'x16'6" \$65,616.00
Neville Construction, LLC – 40'x60'x16' \$73,950.00
Axxent Buildings, LLC – 40'x60'x16' \$78,860.00
KenWorks, Inc – 40'x60'x16' \$66,786.00
KenWorks, Inc – 40'x60'x17' (steel) \$71,787.00
Walton Contracting – 40'x60'x17' (steel) \$83,199.05

Bill Walton was given the opportunity to speak. The board discussed the bids with Tom.

Motion by Samuelson and seconded by Shaw to accept the bid from Astro Buildings in the amount of \$65,616.00 for a building for the Trumbull motor grader maintenance shop. On roll call, yea: Schmidt, Johnson, Shaw, Fintel, Samuelson, Anderson and Nuss. Motion carried.



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Ted Griess, County Attorney answered procedural questions about the public hearing.

A letter/proposal from O'Keefe Elevator Company, Inc. regarding the backup battery for the elevator. The cost will be \$245.00 for the battery, labor, mileage, etc.

Motion by Fintel and seconded by Johnson to authorize the chairman to sign the proposal to replace the backup battery in the courthouse elevator. On roll call, yea: Johnson, Shaw, Fintel, Samuelson, Anderson, Schmidt and Nuss. Motion carried.

Motion by Shaw and seconded by Anderson to open the public hearing at 10:00 A.M. On roll call, yea: Shaw, Fintel, Samuelson, Anderson, Schmidt, Johnson and Nuss. Motion carried.

The purpose of which is to hear and act upon the recommendation from the Clay County Planning and Zoning Commission regarding a conditional use permit for the proposed use of storage of explosive materials.

Barb Barnett, Zoning Administrator presented the recommendation of the Clay County Planning and Zoning Commission for a conditional use permit for the proposed storage of explosive materials as described in Regulation 414.04.01. This would be for fireworks storage only, and located in the Industrial Zone of Clay County in the NAD Area B-1 of Section 16, T7N, R8W. The Planning and Zoning Commission recommended approval of the permit with conditions. Barb stated that the Commission can only make recommendations, it is up to the Board of Supervisors to approve or disapprove the permit; delete or add to the conditions. The county only decides if the proposed usage meets zoning regulations.

Tammy and Tom Towne (T&T Fireworks) were present and presented photos and information about other facilities as well as their building and the regulations they have to follow according to the National Fire Prevention Association.

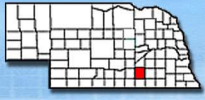
After discussion, it was decided to modify the conditions that were listed on the recommendation.

Motion by Samuelson and second by Fintel to close the public hearing at 10:17 A.M. On roll call, yea: Fintel, Samuelson, Anderson, Schmidt, Johnson, Shaw and Nuss. Motion carried.

Motion by Fintel and seconded by Samuelson to accept the recommendation of the Clay County Planning and Zoning Commission and approve the request from T & T Fireworks, LLC c/o Tom Towne for a conditional use permit for the proposed use of storage of explosive materials per the conditions as modified by the Clay County Board of Supervisors:

- #1. Containment/Storage within the walls of the building for storage of fireworks.
- #2. Abide by NFPA guidelines
- #3. Utilize a sprinkler system within the building; inspected by the State Fire Marshal and/or the Installer of such sprinkler system, at least once per year.

On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Fintel and Nuss. Motion carried.



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AT 10:15 A.M. the bids for the courthouse lawn spraying were opened. Bids were received from:

Andersen's Lawn Spraying LLC -- \$450.00 per application

V & M Sales and Service Lawn Spraying -- \$463.60 per application with hand spraying of weed breakout along sidewalks at no charge. V & M also proposed to do 2 different grub applications in order to get it watered in within 24 hours due to water restrictions.

Motion by Shaw and seconded by Johnson to accept the bid from V & M Sales and Service Lawn Spraying in the amount of \$463.60 per application for 2016 lawn spraying for the courthouse lawn. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Fintel, Samuelson and Nuss. Motion carried.

Mike Carroll, Custodian reported that he had contacted the alarm system company to set up yearly maintenance, changing batteries and testing. A bid from Sutton Electric that included several different options for replacing lights in the Veterans Service office and the Reception/Break Room area.

Motion by Anderson and seconded by Johnson to accept the bid from Sutton Electric, Inc. for T8 Fluorescent fixtures for the Veterans Service office in the amount of \$1,635.00 and the Reception/Break area in the amount of \$840.00. On roll call, yea: Schmidt, Johnson, Shaw, Fintel, Samuelson, Anderson and Nuss. Motion carried.

Mike also presented a bid for repairing the steps on the north entry of the courthouse. He had contacted the State Historical Society for a recommendation of someone to do this work.

Motion by Fintel and seconded by Schmidt to accept the bid proposal from Pedersen Restoration Inc. in the amount of \$3400.00 to repair the steps on the north entry to the courthouse. On roll call, yea: Johnson, Shaw, Samuelson, Anderson, Schmidt, Fintel and Nuss. Motion carried.

Motion by Fintel and seconded by Shaw to adjourn this meeting at 11:02 A.M.; next meeting scheduled for March 29, 2016. On roll call, yea: Shaw, Fintel, Samuelson, Anderson, Schmidt, Johnson and Nuss. Motion carried.

Deborah Karnatz, County Clerk

Todd Nuss, Chairman